

REMARKS

Claims 6-8, 10-17, 19, 20, and 23-31 were pending when the Office Action was mailed. Applicant herein amends claims 6, 16, 25, 27, 28, and 31 to further clarify the subject matter for which protection is sought and does not cancel any claims or present any new claims. Accordingly, claims 6-8, 10-17, 19, 20, and 23-31 remain pending.

The Office Action rejects claims 6-8, 10-15, 23-24, and 26 under 35 U.S.C. § 102(b) over U.S. Patent No. 7,007,074 to Radwin ("Radwin"), rejects claims 16, 17, 19, 20, 25, 27, 28, and 31 under 35 U.S.C. § 103(a) over Radwin and U.S. Patent No. 6,826,559 to Ponte ("Ponte"), and rejects claims 29 and 30 under 35 U.S.C. § 103(a) over Radwin. Applicant respectfully traverses these rejections.

Claims 6 and 16 each recite "each advertising strategy specifying ... an arbitrary time duration." In response to applicant's previous remarks regarding this feature, the Examiner points to Radwin at 3:19-37, 5:24-26, and 10:55-63 as disclosing this feature, asserting that each of these portions of Radwin describes the expiration of an advertising strategy or a search term. (Office Action, May 27, 2009, Pages 11-12.) The Examiner, however, has failed to point to any portion of Radwin that describes "an arbitrary time duration" for any advertising strategy. According to Radwin, "[t]ime stamp 77 of Figure 3 is used by the ad server 54 to determine whether a search term is to be considered when fetching a time-dependent advertisement from the advertisement repository." (Radwin, 10:59-62.) Radwin's "time stamp 77 identifies the time that the search term was last used to conduct a search." (Radwin, 7:28-30.) The above-cited portions of Radwin suggest that the only unique information about a search term that Radwin uses to determine whether the search term is to be considered when fetching a time-dependent advertisement (i.e., whether the search term and an associated advertisement have expired), is the time at which the search term was last used to conduct a search. Radwin provides no indication that each search term is associated

with a different duration or that a duration specific to each search term is consulted or retrieved prior to determining whether a search term has expired.

Applicant submits that Radwin most clearly suggests a technique in which all search terms expire after the same duration. For example, assuming the duration for expiration is 24 hours, if a user were to employ the search term "car" at 10:00:00 AM on January 1, 2009, the search term "car" would expire for that user at 10:00:00 AM on January 2, 2009 using Radwin's technique. Similarly, if a user were to employ the search term "rental" at 11:30:00 AM on June 7, 2009, the search "rental" would expire for that user at 11:30:00 AM on June 8, 2009 using Radwin's technique. Thus, while the search terms may expire at different times (because a user may employ search terms at different times) the duration during which a search term remains eligible for placing a time-dependent advertisement is fixed at the same value (e.g., 24 hours) for each search term. In other words, while Radwin uses a duration to determine whether a search term has expired, Radwin's duration is not arbitrary. Furthermore, because Radwin's technique uses the same duration for all search terms, Radwin does not disclose, and indeed would have no use for specifying a duration for each advertising strategy, as Radwin's single value can be stored once for all advertising strategies. In contrast, claim 6 and 16 recite each advertising strategy specifying an arbitrary duration. Applicant is unable to find any portion of Radwin or Ponte that describes or suggests each of a plurality of advertising strategies specifying an arbitrary time duration, as claims 6 and 16 recite. Accordingly, claims 6 and 16, and their dependent claims 7, 8, 10-15, 17, 19, 20, 23-25, and 29-31, are patentable over the applied references. Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of these claims.

Claims 29 and 30 recite "the arbitrary time duration associated with a first advertising strategy is greater than the arbitrary time duration associated with a second advertising strategy." The Office Action asserts that "Radwin does not explicitly teaches [sic] arbitrary time duration associated with a first advertising strategy is greater than the

arbitrary time duration associated with a second advertising strategy. However, it would have been obvious to the one ordinary skill in the art at the time of the invention was made to include advertisement distribution scheduler in the system of Radwin in order to calculate the time that has elapsed between two advertisements." (Office Action, May 27, 2009, Page 11.) Applicant respectfully submits that the time that has elapsed between two advertisements is irrelevant to the arbitrary time durations associated with two advertising strategies. In the example discussed above, each of Radwin's search terms and their associated advertisements has a duration of 24 hours, regardless of when the search terms were employed. Although the search terms may expire at different points in time based on when the search terms were employed, the duration is the same. Thus, even if one skilled in the art were to include a scheduler to calculate the time that has elapsed between two advertisements, the duration associated with each advertising strategy would remain the same. Applicant is unable to find any portion of Radwin or Ponte that describes or suggests two advertising strategies having different arbitrary time durations, such that one is greater than the other, as claims 29 and 30 recite. Accordingly, claims 29 and 30 are patentable over the applied references. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of these claims.

Claim 16 now recites "each advertising strategy specifying ... an arbitrary Boolean search expression ... and a plurality of advertisements ... the Boolean search expression and the advertisements having been received from the same source." Claim 27 now recites "advertising strategies each specifying an arbitrary Boolean search expression ... and one or more advertisements ... both the Boolean search expression and the one or more advertisements having been received from the same source." The Office Action relies on Ponte at 7:34-35, 13:35-41¹, 23:35-41, and 27:19-35 as disclosing advertising strategies specifying Boolean search expressions. (Office Action, May 27, 2009, Pages 9 and 12.) Each of the relied-upon portions of Ponte describes a

¹ Ponte at 13:35-41 mentions neither advertising strategies nor Boolean search expressions. Applicant believes that the Examiner instead intended 23:35-41 and are proceeding on this basis.

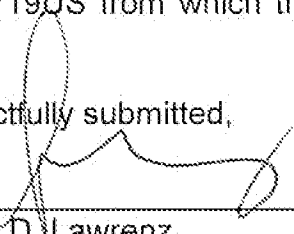
Boolean expression that is part of a query submitted by a user. For example, Ponte at 7:34-35 describes a user request in the form of a "superset" query or "a boolean composite of several querying terms." Ponte at 23:35-41 describes a search optimization technique that can be performed on queries that include Boolean search terms. Ponte at 27:19-15 describes "[a] query request, as made by a user, [that] is generally the combination of boolean operators and search terms." While the relied-upon portions of Ponte describe Boolean expressions, Ponte provides no indication that the source of the Boolean expressions also provides advertisements. In contrast, claims 16 and 27 now recite that a Boolean search expression and advertisements associated with an advertising strategy are received from the same source. Applicant is unable to find any portion of Radwin or Ponte that describes or suggests advertising strategies specifying or associated with Boolean search expressions and advertisements, wherein the Boolean search expressions and the advertisements are received from the same source, as claims 16 and 27 now recite. Accordingly, claims 16 and 27 are patentable over the applied references, as are their dependent claims 17, 19, 20, and 28. Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of these claims.

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance and respectfully requests reconsideration and a prompt Notice of Allowance.

Please charge any deficiencies, or credit any overpayment, to our Deposit Account No. 50-0665, under Order No. 418268719US from which the undersigned is authorized to draw.

Dated: August 17, 2009

Respectfully submitted,

By  _____

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